STATE OF HAWAII
Department of Land and Natural Resources
Office of Conservation and Coastal Lands
Honolulu, Hawaii

REF:OCCL:DH

FILE NO.: CDUA OA-3413

Acceptance Date: March 27, 2007
180-Day Exp. Date: December 22, 2007

November 16, 2007

Board of Land and
Natural Resources
State of Hawaii
Honolulu, Hawaii

REGARDING:	Request for 90-Day Time Extension to the 180-day Processing Period for Conservation District Use Application (CDUA) OA-3413 to Change the Liljestrand's Single Family Residence (SFR) Land Use to Accommodate Commercial Use(s)
APPLICANT:	Robert Liljestrand, C/O Frances Mossman
AGENT:	Same
LANDOWNER:	Robert Liljestrand
LOCATION:	Tantalus, Island of Oahu
TMKs:	(1) 2-5-011:008.
USE:	Commercial Use
SUBZONE:	Resource Subzone

BACKGROUND:

On March 27, 2007, the Department of Land and Natural Resources, Office of Conservation and Coastal Lands (OCCL) accepted an application for a Conservation District Use Application (CDUA) OA-3413 for the Liljestrand Single Family Residence (SFR), located at 3300 Tantalus Drive, Honolulu, Island of Oahu, Subject Parcel TMK: (1) 2-5-011:008.

ITEM K-5

TIME EXTENSION REQUEST:

On August 10, 2007, the applicant requested an extension of 90-days to the statutory 180-day processing period because a request for Contested Case was submitted at the July 2, 2007 Public Hearing. On August 24, 2007, the Department of Land and Natural Resources (BLNR) approved the 90-day extension until December 22, 2007.

On November 5, 2007, the applicant requested a second time extension to processing period (**Exhibit 1**).

AUTHORITY FOR GRANTING TIME EXTENSIONS:

The authority for granting time extensions to the CDUA processing period is provided in Section 183C-6(b), HRS, which states that "...when a contested case hearing is required pursuant to Chapter 91, the one-hundred eighty days may be extended an additional ninety days at the request of the applicant. Any request for additional extensions shall be subject to the approval of the Board." The subject request is for a 90-day time extension.

DISCUSSION:

The application is currently in Contested Case Hearing mode. The Contested Case Hearing Officer has just been hired and the Hearing on Standing, and pre-Hearing date has yet to be determined. It is assumed that the Contested Case would be held between the months of January to April 2007. Therefore, the applicant's agent has requested a request for a 90-day extension. At this point, staff believes that all interests are best served by extending the CDUA processing period to allow for the continuance of the Contested Case Hearing.
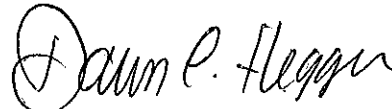
Since the applicant is requesting more than a 90-day time extension request, the request must be approved by the Board.

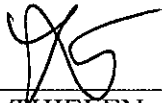Staff, therefore, recommends as follows:

RECOMMENDATION:

That the Board of Land and Natural Resources approve this request to extend the processing period for Conservation District Use Application (CDUA) OA-3413 an additional 90-days to **March 21, 2008** to allow sufficient time to complete contested case hearing process.

Respectfully submitted,

DAWN T. HEGGER
Staff Planner

Approved for submittal:

LAURA H. THIELEN, Chairperson
Board of Land and Natural Resources

November 5, 2007

Samuel J. Lemmo
Administrator
Office of Conservation and Coastal Lands
Department of Land and Natural Resources
State of Hawaii
P.O. Box 621
Honolulu, Hawaii 96809

Dear, Mr. Lemmo:

Request for a Second Time Extension for CDUA OA-3413
Liljestrand Single Family Residence, Oahu, Hawaii

In accordance with the provisions of Section 183C-6(b), Hawaii Revised Statutes, we request a second 90-day time extension to the 180-day statutory processing period for this permit. This request is made solely for the purpose of accommodating a contested case hearing.

Sincerely,

Frances I. Mossman
Agent for Applicant
Thirty-Three Hundred Tantalus Drive LLC

3300 Tantalus Drive
Honolulu, HI 96822

EXHIBIT I